

REMARKS

Claims 22-33 are pending in the above captioned patent application. Claims 22 and 28 are independent claims.

The examiner rejected claims 22-33 under 35 U.S.C. §101 as being directed to non-statutory subject matter.

Applicant's claims 22-27 clearly indicate that the method is tangibly embodied in a computer readable medium when it recites "in parallel hardware threads executing in a processor comprising a plurality of microengines." However, to further clarify that these claims are statutory subject matter as defined in Title 35, the CAFC and the U.S. Supreme Court, applicant has amended claims 22-27 to indicate a computer-implemented method.

Applicant's claims 28-33 are directed to a processor that is clearly patentable subject matter under 35 U.S.C. §101.

The examiner uses Bates and Shridhar to reject claims 22-33 as having been obvious.

Claims 1 and 28 recite "receiving a source code line to be break pointed in a selected microengine," or similar language. The examiner argues that this is contained in Bates. However, Bates contains no such teaching or suggestion. On the contrary, Bates teaches break points encountered during a program execution, having been inserted into the source code at some prior time. Shridhar is no help because, like Bates, Shridhar also teaches source code that initially includes embedded debug commands. No such initial embedding of debug commands are recited in applicant's claim. Applicant's claim 1 (and claim 28) receives a source code line to be break pointed in a selected microengine. (emphasis added) At this claim element no break exists. Accordingly, claims 1 and 28 cannot be rendered obvious by Bates and Shridmar.

Assuming arguendo, that Bates does include "receiving a source code line to be break pointed in a selected microengine," and clearly Bates fails to teach or suggest this quoted claim feature, the examiner admits that Bates does not disclose "determining whether the source code line can be break pointed." The examiner then argues that Shirdmar provides this feature.

Applicant disagrees and believes that here again, the examiner has mischaracterized the reference. Shirdmar does not teach or suggest "determining whether the source code line can be

break pointed" because break points in Shirdmar are initially embedded in the source code and then extracted by an assembler (see Abstract). Shirdmar receives a line of source code and does not determine whether the received line of source code can be breakpointed. Shirdmar determines whether or not the source code already contains an embedded break point. Shirdmar reacts to the presence or absence of a break point while applicant's claimed feature reacts to whether or not the source code line can be break pointed. Accordingly, claims 1 and 28 are not rendered obvious by Bates and Shridmar.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date:

January 12, 2005

Kenneth F. Kozik

Kenneth F. Kozik
Reg. No. 36,572

ATTORNEYS FOR INTEL
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906
21009226.doc